

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JEREMY J. CHAIN,

Plaintiff,

v.

DEBORAH J. GROSS and FIRST  
COMMONWEALTH FCU,

Defendants.

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CIVIL ACTION NO. 18-4610

**ORDER**

**AND NOW**, this 31st day of October, 2018, after considering the application for leave to proceed *in forma pauperis*, complaint, and statement of facts filed by the *pro se* plaintiff, Jeremy J. Chain (Doc. Nos. 1–3); and for the reasons stated in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The application for leave to proceed *in forma pauperis* (Doc. No. 1) is **GRANTED** and the plaintiff has leave to proceed *in forma pauperis*;

2. The complaint (Doc. No. 2) is **DEEMED** filed;

3. The complaint (Doc. No. 2) is **DISMISSED** as follows:

a. The plaintiff's claims against the defendants pursuant to 42 U.S.C. § 1983 are **DISMISSED WITH PREJUDICE**; and

b. To the extent that the plaintiff is raising any state-court tort claims, the claims are **DISMISSED WITHOUT PREJUDICE** to the plaintiff's right to file an amended complaint as set forth below, or to refile his claims in state court;

4. The plaintiff has leave to file an amended complaint within thirty (30) days of the date of this order if he can set forth a claim that lies within this court's jurisdiction. Any

amended complaint must identify the defendants in the caption in addition to the body, and shall state the basis for the plaintiff's claims against each defendant. Upon the filing of an amended complaint, the clerk of court shall not make service until so ordered by the court;

5. The clerk of court is **DIRECTED** to provide the plaintiff a blank copy of this court's current standard form to be used by a *pro se* litigant filing a civil action bearing the above-captioned civil action number. The plaintiff may use this form to file an amended complaint; and

6. If the plaintiff fails to file an amended complaint, the court may dismiss this case for the failure to prosecute without further notice.

BY THE COURT:

/s/ Edward G. Smith  
EDWARD G. SMITH, J.